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UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 OAKLAND DIVISION

KHUSHI SHARMA,  
 JOYTIKA SHARMA,  
 PRASHANT SHARMA

Petitioners,

v.

NANCY ALCANTAR, in her Official  
 Capacity, Director San Francisco Office of  
 Detention and Removal, U.S. Immigration  
 and Customs Enforcement; JULIE  
 MEYERS, Assistant Secretary of  
 Department of Homeland Security for U.S.  
 Immigration and Customs Enforcement;  
 MICHAEL CHERTOFF, Secretary,  
 Department of Homeland Security;  
 PETER D. KEISLER, Acting Attorney  
 General, Department of Justice; KEVIN  
 OHLSON, Director, Executive Office of  
 Immigration Review, Department of  
 Justice,

Respondents.

No. C 07-5237-CW

**STIPULATION TO DISMISS; AND  
 [PROPOSED] ORDER**

Petitioners, by and through their attorney of record, and respondents, by and through their attorneys of record, hereby stipulate, subject to approval to the Court, to dismissal of the above-entitled action in light of the fact that the Board of Immigration Appeals (BIA) adjudicated the

1 petitioners' motion to reopen on October 16, 2007, and that any judicial review of the BIA's order  
2 will occur at the United States Court of Appeals for the Ninth Circuit.

3 Each of the parties shall bear their own costs and fees.  
4

5 Date: October 25, 2007

Respectfully submitted,

6 SCOTT N. SCHOOLS  
7 United States Attorney

8 /s/  
9 EDWARD A. OLSEN  
10 Assistant United States Attorney  
11 Attorneys for Respondents

12 Date: October 25, 2007

13 /s/  
14 ZACHARY NIGHTINGALE, Esq.  
15 Attorney for Petitioners

16 **ORDER**

17 Pursuant to stipulation, IT IS SO ORDERED.  
18

19 Date:

20 \_\_\_\_\_  
21 CLAUDIA WILKEN  
22 United States District Judge  
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